

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

ROGER J. HASKINS,

Plaintiff,

v.

**5:08-CV-1107
(FJS/VEB)**

**MICHAEL J. ASTRUE, Commissioner of
Social Security,**

Defendant.

APPEARANCES

OF COUNSEL

OLINSKY & SHURTLIFF

300 South State Street, 5th Floor
Syracuse, New York 13202
Attorneys for Plaintiff

HOWARD D. OLINSKY, ESQ.

**SOCIAL SECURITY ADMINISTRATION
OFFICE OF REGIONAL GENERAL
COUNSEL, REGION II**

26 Federal Plaza – Room 3904
New York, New York 10278
Attorneys for Defendant

JOHN M. KELLY, ESQ.

SCULLIN, Senior Judge

ORDER

On April 23, 2010, Magistrate Judge Victor E. Bianchini issued a Report and Recommendation in which he recommended that the Court remand this matter to the Commissioner for further proceedings in accordance with Magistrate Judge Bianchini's recommendations and pursuant to sentence four of 42 U.S.C. § 405(g). *See* Dkt. No. 11 at 16.

The parties did not file any objections to Magistrate Judge Bianchini's Report and Recommendation. Having reviewed Magistrate Judge Bianchini's recommendations and the

entire record in this file, the Court hereby

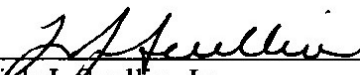
ORDERS that Magistrate Judge Bianchini's April 23, 2010 Report and Recommendation is **ADOPTED** in its entirety for the reasons stated therein; and the Court further

ORDERS that this case is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation; and the Court further

ORDERS that the Clerk of the Court shall enter judgment in favor of Plaintiff and close this case.

IT IS SO ORDERED.

Dated: August 23, 2010
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge